



## MIAMI-DADE COMMISSION ON ETHICS AND PUBLIC TRUST

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### MEMORANDUM

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TO: Claudia Miró  
Marketing Specialist, Miami-Dade County Library

FROM: Martha D. Perez, General Counsel  
Commission on Ethics & Public Trust

SUBJECT: INQ 20-91: Political Candidate's General Issues and Section 2-11.1(g)

DATE: September 18, 2020

CC: COE Staff

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Thank you for contacting the Miami-Dade Commission on Ethics and Public Trust and requesting our guidance concerning any limitations imposed by the County Ethics Code on your upcoming political campaign for a commission seat in the City of Coral Gables.

#### Background

You have provided this office with the following information:

You are employed by Miami-Dade County as Marketing Specialist for the County Library. You are seeking to run for a commission seat in the City of Coral Gables. You would like to know whether you are permitted to run for a municipal elected office while employed by the County. You would also like to understand your political rights and limitations as they apply to the County Ethics Code.

#### Analysis

This office may consider and opine on the political activities of a County employee.

A County employee, who qualifies as a candidate for election, may remain in his or her County employment while running for office. *See* Section 1.05 (c), Miami-Dade County Charter. Consequently, as a County employee, you are not required to take a leave of absence or forfeit your position to run for municipal office.

I am attaching (to the email) the Ethics Commission's "Limitations on Political Activities of County and Municipal Officers and Employees" Memorandum issued this year, reminding all public servants of the limitations imposed during political campaigning.

County employees are also reminded of Section 2-11.1(g), *Exploitation of official position*, which prohibits County employees from using their public positions to secure special privileges or exemptions for themselves or others. For example, as a County employee, you may become involved in your political campaign provided your campaigning occurs on your own time and not during working hours, and also, that you do not use your County position or County resources in any way in your political campaign ( INQ 15-26, INQ 16-21, INQ 18-200); a County employee may not solicit or accept political contributions in a County building (INQ 16-244). Again, I refer you to the Memorandum and encourage you to contact this office for guidance on more specified fact scenarios.

As a political candidate in Miami-Dade County, you and your campaign staff are also bound by the Ethical Campaign Practices Ordinance. *See* Section 2-11.1.1, Miami-Dade County Code.

### Conclusion

Consequently, you are not prohibited from running for municipal office provided you meet the qualification requirements. Political campaigning should follow the limitations imposed by Florida Statutes, Miami-Dade Conflict of Interest and Code of Ethics Ordinance, and other state laws, local ordinances and County administrative orders. Finally, I defer to your departmental personnel representative (DPR) and/or the County's Human Resources for any requirements on the notification of your candidacy to your supervisors.

INQs are informal ethics opinions provided by the legal staff after being reviewed and approved by the Executive Director. INQs deal with opinions previously addressed in public session by the Ethics Commission or within the plain meaning of the County Ethics Code. RQOs are opinions provided by the Miami-Dade Commission on Ethics and Public Trust when the subject matter is of great public importance or where there is insufficient precedent. While these are informal opinions, covered parties that act contrary to the opinion may be referred to the Advocate for preliminary review or investigation and may be subject to a formal complaint filed with the Commission on Ethics and Public Trust.